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PATENT

ATTORNEY DOCKET NO. 00786/381003

Certificate of Mailing: Date of Deposit: September 24, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jennifer M. Schupp

Printed name of person mailing correspondence

Jennifer Schupp
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark C. Fishman

Art Unit: 1632

Serial No.: 10/656,873

Examiner: Not yet assigned

Filed: September 5, 2003

Customer No.: 21559

Title: Methods for Diagnosing and Treating Heart Disease

Repln. Ref: 01/21/2005 SDIRETA1 0014483900
DAH:061050 Name/Number:10656873
FC: 9204 \$1480.00 CR

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Adjustment date: 01/21/2005 SDIRETA1
10/25/2004 ZJUHR1 00000071 10656873
01 FC:1460 -130.00 OP

PETITION FOR REFUND

Repln. Ref: 01/21/2005 SDIRETA1 0014500800
DAH:032095 Name/Number:032095
FC: 9204 \$130.00 CR

Applicants respectfully petition that a refund of \$1,480.00 be made in connection with the above-referenced case, which was paid as an extension fee in this case on May 18, 2004. A Notice to File Missing Parts of Application was originally mailed in this case on November 18, 2003. The Notice stated that a copy of a marked-up raw sequence listing was enclosed, which would have provided applicants with information as to how to correct the sequence listing in this case. The copy of the marked-up raw sequence listing was not actually enclosed with the Notice. Applicants' representative contacted the Customer Service Center, Initial Patent Examination Division (703-308-1202) to request

10/25/2004 ZJUHR1 00000071 10656873

01 FC:1460

130.00 OP

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a copy of the marked-up copy, and each time was informed that the copy would be sent and that a new date would be set for replying to the Notice. A new copy was not received by the time the extended deadline for replying to the Notice arrived and, thus, applicants paid the extension fee to keep the case pending. A Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures has since been mailed in this case (June 3, 2004), and included the marked-up raw sequence listing.

Applicants thus respectfully request that a refund of \$1480.00 be applied to Deposit Account No. 03-2095.

Enclosed is a check for \$130.00 in payment of the fee required for this petition. Applicants also respectfully request a refund of \$130.00 be applied to Deposit Account No. 03-2095 upon favorable consideration of this petition.

Respectfully submitted,

Date: September 23, 2004

Susan M. Michaud
Susan M. Michaud, Ph.D.
Reg. No. 42,885

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



PATENT
ATTORNEY DOCKET NO. 00786/381003

Certificate of Mailing: Date of Deposit: May 18, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathy Meuse
Printed name of person mailing correspondence

Kathy Meuse
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mark C. Fishman et al.	Art Unit:	1632
Serial No.:	10/656,873	Examiner:	Not yet assigned
Filed:	September 5, 2003	Customer No.:	21559
Title:	Methods for Diagnosing and Treating Heart Disease		

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. § 1.136, applicants hereby petition that the period for replying to the Notice to File Missing Parts of Application that was mailed in connection with the above-captioned application on November 18, 2003 be extended for four months, to and including May 18, 2004.

Enclosed is a check for \$1,480.00 for the fee required by 37 C.F.R. § 1.17(a).

5/21/2004 BABRAHA1 00000024 10656873

3 FC:1254

1480.00 OP

Adjustment date: 01/21/2005 SDIRETA1

05/21/2004 BABRAHA1 00000024 10656873

03 FC:1254

-1480.00 OP

Repln. Ref: 01/21/2005 SDIRETA1 0014485900

DAH:061050 Name/Number:10656873

FC: 9204

\$1480.00 CR

Applicant : Keith Crozier
Patent No. : 5,392,390
Issued : February 21, 1995
Serial No. : 07/867,167
Filed : April 10, 1992
Page : 2 of 2

Attorney's Docket No.: 05110-002001

Accordingly, the charge to Deposit Account No. 06-1050 was improper, as all fees had previously been satisfied. Applicants respectfully request that the overcharge amount be refunded to Fish & Richardson's Deposit Account No. 06-1050 as a credit.

Respectfully submitted,

Date: 11/4/04

John W. Duen Reg # 29,066
G Roger Lee
Reg. No. 28,963

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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